

REMARKS

Applicants, their principal representatives in Germany, and the undersigned have carefully reviewed the Final Office Action of August 12, 2003 in the subject U.S. patent application, together with the prior art cited and relied on by the Examiner in the final rejections of the claims. In response, the claims have again been amended. It is believed that the amendments currently made to the claims represent an earnest effort on the part of the undersigned to place the application in condition for allowance. It is further believed that the claims as presently amended do not raise any new issues and will not require the Examiner to conduct additional searching. Reexamination and reconsideration of the application, and allowance of the claims is respectfully requested.

As a result of a telephone discussion with SPE Katherine Matecki, it is the understanding of the undersigned that Examiner Michael Mansen is no longer primarily responsible for the examination of the subject application. The undersigned would be glad to meet with the Examiner now presently responsible for the prosecution of this somewhat lengthy application to discuss the application and the claimed invention. It is requested that the Examiner now assigned to this application review the portion of the previous Amendment, filed July 15, 2003, starting at the second paragraph of page 10, to obtain an overview of the subject invention. The web draw-in to which the claims of the subject application are directed is discussed in the second substitute specification, starting at page 8 and continuing on through paragraph 082 at page 18. The device to

which the claims are directed is also shown most clearly in Figs. 1-8 of the drawings, as filed, and as corrected in the Amendment of July 15, 2003.

In essence, the device includes a paper web draw-in 33, 34, 36 which has a length. A portion of the length of the paper web draw-in, which is usable to engage a paper web while the web is being drawn in along a web path, has a plurality of spikes. That spiked portion of the paper web draw-in is situated in the web path only during drawing in of the web into the web-fed rotary printing press. Once the web has been drawn in, that portion of the draw-in which carries the spikes, is moved to a storage path in which the spikes do not penetrate the paper web. Thus the spikes are in contact with the web only during draw-in and are removed from penetration of the web during normal operation of the rotary printing press. In this context, the Examiner is invited to review paragraph 075 of the second substitute specification for a detailed description of this structure and its usage.

In the Final Office Action of August 12, 2003, Examiner Mansen withdrew claim 54 from further consideration as being drawn to a non-elected species. Claim 54 is now shown in the subject Amendment After Final Rejection as being withdrawn.

The Examiner indicated that the proposed drawing corrections filed with the Amendment of July 15, 2003 had been approved. Suitable formal drawings will be filed upon receipt of a Notice of Allowance.

The Final Office Action was silent with respect to the submitted Second Substitute Specification. It is assumed that this Second Substitute Specification has

been accepted.

Claims 35, 37, 51, 52, 55 and 71 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. patent No. 4,619,449 to Fisher. Claims 35, 37, 46-48, 51, 52, 55 and 71 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. patent No. 3,367,549 to Assony. Claim 53 was objected to as depending on a rejected base claim. It was indicated as being allowable if presented in independent form and including all of the limitations of the base claim and of any intervening claims.

Claim 53 has been amended to include the language of base claim 35 and of intervening claim 52. It is believed that now independent claim 53 is in condition for allowance. The presentation of claim 53 in independent form is believed not to require the payment of any additional filing fees.

Claim 35 has been amended to include the language of claims 37 and 55. It is believed that currently amended claim 35 is patentable over the prior art cited and relied on by the Examiner for the reasons which will be set forth subsequently. It is also believed that claim 35 as currently amended does not raise any new issues and will not require additional searching by the Examiner. Claims 37 and 55, which have now both been cancelled, depended from claim 35. The Examiner's prior search would have included the structure now set forth in currently amended claim 35 because of the recitation of that structure in claims 37 and 55.

As recited in currently amended claim 35, the device for drawing in a paper web includes a paper web draw-in that has a length. A plurality of spikes are permanently

attached to the paper web draw-in along a portion of that length, as was originally recited in claim 55. The spikes are adapted to penetrate a paper web during the positioning of that portion of the paper web draw-in along a web path as was originally recited in claim 37. The spiked portion of the paper web draw-in penetrates the paper web only during drawing in of the web into the printing press. Once that web drawing in has been completed, the portion of the paper web draw-in with the spikes is moved to a storage path so that the spikes no longer engage the paper web.

In the two prior art patents relied on by Examiner Mansen in the rejection of previously presented claim 35, there is no teaching or suggestion of the structure that is now recited in currently amended claim 35. In the Fischer patent, No. 4,619,449, there is shown a folding apparatus. A roller 2 is provided with a plurality of pins extending in a line about its entire circumference. These pins are always in engagement with a web as that web is directed to a folding former. There is no showing or suggestion in Fischer of a paper web draw-in that has a length and that has a plurality of spikes attached to only a portion of that length. There is also no teaching or suggestion in Fischer of means for moving that portion of the draw-in with the spikes to engage the web only during draw-in of the web and for moving that spiked portion of the draw-in to a storage path for removing the spikes from penetration of the web upon completion of drawing in of the web along the web path. Fischer clearly teaches that the pins 6 are placed in a complete ring about the supply roller 2. There is no position in which that supply roller can be placed in which a portion of the draw-in with the spikes is moved

out of a penetrating position.

The patent to Assony, No. 3,367,549 also shows either a wheel 31 with a spiked periphery, or a belt 15 with a spiked periphery. In the Assony device, these spikes or pins are always in engagement with the web, which is provided with a longitudinal row of holes 20. The belt 15 is provided with pins 21 along its entire length, as is clearly shown in Fig. 1. There is no time when the portion of the draw-in that carries the spikes is moved to a storage position in which the spikes are removed from penetration of the web.

It must be kept in mind that the subject invention is directed to a web draw-in device. As discussed in detail in the specification of the application, and as understood by those of skill in the art, a web draw-in device is used only during the insertion of a leading end of a web into and through a printing press. Once the lead end of the web has been fed through the press, the web draw-in is moved so that it no longer engages the web. In both the Fischer and Assony devices, the pins are intended to always be in contact with the web. Neither Fischer or Assony are web draw-in devices. It is believed that presently amended claim 36 is neither anticipated by, nor rendered obvious by either of these two references.

Claims 46, 47, 48, 51, 52 and 71 all depend from believed allowable presently amended claim 35. It is believed that they are also allowable. As discussed above, claim 53 has been amended to place it in independent form. It is believed that claim 53, as presently amended, is also allowable.

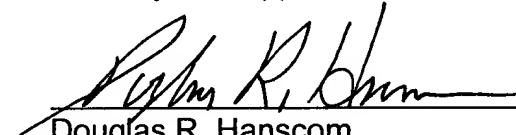
SUMMARY

Claims 35, 46-48, 51-53 and 71 are presently in the subject application. It is believed that these claims are patentable over the prior art cited and relied on by Examiner Mansen for the reasons set forth previously. It is further believed that the presentation of these claims does not raise any new issues and will not require any additional searching on the part of the Examiner. It is further believed that this Amendment After Final Rejection places the application in condition for allowance. That action, and the passage of the application to issue, is respectfully requested.

Respectfully submitted,

Wolfgang Günter RUCKMANN et al.
Applicants

JONES, TULLAR & COOPER, P.C.
Attorneys for Applicants



Douglas R. Hanscom
Reg. No. 26, 600

November 12, 2003
JONES, TULLAR & COOPER, P.C.
P.O. Box 2266 Eads Station
Arlington, Virginia 22202
(703) 415-1500
Attorney Docket: W1.1639PCT-US